

UNITED STATES DISTRICT COURT

for the
Eastern District of North Carolina

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)
USE OF A CELL-SITE SIMULATOR TO LOCATE THE
CELLULAR DEVICE ASSIGNED CALL NUMBER
(919) 638-4636, IMSI 310260419438195

Case No. 5:16-MJ-1088-RN

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Eastern District of North Carolina
(Identify the person or describe the property to be searched and give its location):

SEE SEARCH WARRANT AFFIDAVIT ATTACHMENT A

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (Identify the person or describe the property to be seized):

SEE SEARCH WARRANT AFFIDAVIT ATTACHMENT B

YOU ARE COMMANDED to execute this warrant on or before February 10, 2016 (not to exceed 14 days)

☐ in the daytime 6:00 a.m. to 10:00 p.m. ☒ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to any EDNC United States Magistrate Judge
(United States Magistrate Judge)

☒ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

☒ for 30 days (not to exceed 30) ☐ until, the facts justifying, the later specific date of _____

Date and time issued: January 27, 2016 11:31 am


Judge's signature

City and state: Raleigh, North Carolina

Robert T. Numbers, II United States Magistrate Judge
Printed name and title

ATTACHMENT A

This warrant authorizes the use of the electronic investigative technique described in Attachment B to identify the location of the cellular device assigned phone number (919) 638-4636 with International Mobile Subscriber Identity 310260419438195, whose wireless provider is T-Mobile, and whose listed subscriber is Mark Daye of 1503 Virgil Road, Durham, North Carolina.

ATTACHMENT B

Pursuant to an investigation of Mark Anthony Daye for a violation of 21 U.S.C. §§ 841 and 846, this Warrant authorizes the officers to whom it is directed to determine the location of the cellular device identified in Attachment A by collecting and examining:

1. radio signals emitted by the target cellular device for the purpose of communicating with cellular infrastructure, including towers that route and connect individual communications; and
2. radio signals emitted by the target cellular device in response to radio signals sent to the cellular device by the officers;

for a period of thirty days, during all times of day and night. This warrant does not authorize the interception of any telephone calls, text messages, other electronic communications, and this warrant prohibits the seizure of any tangible property. The Court finds reasonable necessity for the use of the technique authorized above. *See* 18 U.S.C. § 3103a(b)(2).